

Practitioner's Docket No. CM-115B-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Commissioner for Patents  
Alexandria, Virginia 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the divisional patent application of:

Inventor(s): Curtis H. HUBMANN; John A. BOTICKI and Matthew E. YOUNG

For (title): MULTIPLE FUNCTION DISPENSER

1. Type of Application

This transmittal is for a divisional application.

2. Benefit of Prior U.S. Applications (35 U.S.C. 119(e), 120, or 121)

The new application being transmitted claims the benefit of priority of U.S. Provisional Application No. 60/261,613, filed January 12, 2001 and U.S. Application Serial No. 09/956,294 filed September 19, 2001 of which this Application is a divisional. A Preliminary Amendment is attached which refers to these applications.

3. Papers Enclosed

Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

9 Page(s) of Specification  
12 Page(s) of Claims  
11 Sheet(s) of Drawings - Informal A4  
1 Page(s) of abstract

CERTIFICATION UNDER 37 C.F.R. 1.10\*

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **16 January 2004**, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EL268283739US**, addressed to the: Commissioner for Patents,, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Kristin L. Shimeck

(Type or print name of person mailing paper)

*Kristin L. Shimeck*  
Signature of person mailing paper

**4. Additional Papers Enclosed**

Statement Under 37 CFR 1.63(d)(2) deleting named inventors (2 pgs); Preliminary Amendment amending the specification and drawings and canceling Claims 1-52 and 68-80 (12 pgs); 11 sheets of formal drawings, size A4 and 4 sheets annotated drawings showing changes; Information Disclosure Statement (1 pg) with attached copies of the PTO-1449 forms all previously filed in 09/956,294 (4 pgs) and Copy of PTO-892 - Notice of References Cited by Examiner in 09/956,294 (1 pg).

**5. Declaration or Oath**

Copy from parent application enclosed (Serial No. 09/956,294 filed September 19, 2001) (3 pgs).

**6. Fee Calculation (37 C.F.R. 1.16) Regular Application**

| CLAIMS AS FILED AFTER PRELIMINARY AMENDMENT          |              |                     |              |         |                                   |
|--|--------------|---------------------|--------------|---------|-----------------------------------|
| Claims   | Number Filed | Basic Fee Allowance | Number Extra | Rate    | Basic Fee 37 CFR 1.16(a) \$770.00 |
| Total Claims (37 CFR 1.16(c))                        | 15           | - 20 =              | 0 x          | \$18.00 | \$0                               |
| Independent Claims (37 CFR 1.16(b))                  | 2            | - 3 =               | 0 x          | \$86.00 | \$0                               |
| Multiple Dependent Claim(s), if any (37 CFR 1.16(d)) | \$290.00     | \$0.00              |              |         |                                   |

Amendment canceling extra claims and adding additional claims is enclosed.

Filing Fee Calculation **\$770.00**

**7. Fee Payment Being Made at This Time**

Enclosed

Filing Fee **\$770.00**

**Total Fees Enclosed \$770.00**

**8. Method of Payment of Fees**

Charge Account No. 50-0231 in the amount of \$770.00. A duplicate of this transmittal is attached.

**9. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-0231.

37 C.F.R. 1.16(a), (f) or (g) (filing fees)

37 C.F.R. 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))

37 C.F.R. 1.17 (application processing fees)

**10. Instructions as to Overpayment**

Credit Account No. 50-0231.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION(S) CLAIMED**

**35 U.S.C. 120, 121 and 365(c)**

☒ "This application is a

☐ continuation

☐ continuation-in-part

☒ divisional

of copending application(s)

☒ application number 09/956,294 filed September 19, 2001."

**Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

*(complete applicable item (a), (b) and/or (c) below)*

(a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are

☐ the same.

☒ less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:

Robert C. Halstead; Elizabeth A. Slater; Iain R. Simpson and Rueben (n.m.i.) Wu

(b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are

☐ the same.

☐ the following additional inventor(s) have been added:

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*(type name(s) of inventor(s) to be added)*

(c) ☒ The inventorship for all the claims in this application are

☐ the same.

☒ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made

☒ is submitted.

☐ will be submitted. *See attached* Statement Under 37 CFR 1.63(d)(2).

#### **NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

☒ A notification of the filing of this  
*(check one of the following)*

☐ continuation

☐ continuation-in-part


☒ divisional

is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Respectfully submitted,

Dated: 16 January 2004

JohnsonDiversey, Inc.  
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Attorney Phone: (262) 631-4583

By:   
Neil E. Hamilton  
Attorney for Applicants  
Reg. No. 19,869

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Curtis H. Hubmann, *et al.*  
Title: MULTIPLE FUNCTION DISPENSER  
Appl. No.: *Not yet assigned* (Division of USSN  
09/956,294 filed 09/19/2001)  
Filing Date: *Not yet assigned*  
Examiner: *Not yet assigned*  
Art Unit: *Not yet assigned*  
Docket No: CM-115B-US

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| <p align="center"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee," mailing Label Number EL268283739US, in an envelope addressed to:<br/><b>Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450</b>, on the date below.</p> <p align="center">Kristin L. Shimeck<br/><small>(Printed Name)</small></p> <p align="center"><br/><small>(Signature)</small></p> <p align="center">16 January 2004<br/><small>(Date of Deposit)</small></p> |
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**STATEMENT UNDER 37 CFR 1.63(d)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The parent application names Curtis H. Hubmann, Robert C. Halstead, Matthew E. Young, Elizabeth A. Slater, Iain R. Simpson, Reuben (n.m.i.) Wu and John A. Boticki as inventors. These inventors contributed to the subject matter of Claims 1-52 and 68-80. However, not all contributed to the subject matter of Claims 53-67. Curtis H. Hubmann, John A. Botecki and Matthew E. Young contributed to the subject matter of Claims 53-62. Accordingly, the names of the following four persons should be deleted from this Divisional Application:

1. Robert C. Halstead
2. Elizabeth A. Slater
3. Iain R. Simpson
4. Reuben (n.m.i.) Wu

and the following three persons be named as inventors, in the order named:

1. Curtis H. Hubmann


2. John A. Boticki
3. Matthew E. Young

Please charge any fee required for this filing to Deposit Account No. 50-0231.  
If the Examiner has any questions, or believes a telephone discussion would expedite the prosecution of this application, he is invited to contact the undersigned at (262) 631-4583.

Respectfully submitted,

Date 16 January 2004

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